

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR : David E. HALASZ Confirmation No.: 3916
TITLE : SYSTEM FOR SELECTING THE OPERATING
FREQUENCY OF A COMMUNICATION DEVICE IN
A WIRELESS NETWORK
PATENT NO. : 7,260,620
ISSUED : August 21, 2007
APPLICATION NO. : 10/802,985
FILED : March 17, 2004
CUSTOMER NO. : 23380

REQUEST FOR CERTIFICATE OF CORRECTION**Attention: Certificate of Corrections Branch**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sirs:

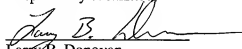
Attached is form PTO/SB/44 requesting a Certificate of Correction for the above-referenced patent. Included with this request are:

A Request for Reconsideration under 37 CFR § 1.323; and

A certificate of correction fee of \$100.00;

Respectfully submitted,

Date: December 28, 2007


Larry B. Donovan
Reg. No: 47,230
TUCKER ELLIS & WEST LLP
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475
Customer No.: 23380
Tel: (216) 696-3864
Fax: (216) 592-5009

Enclosures: PTO/SB/44 (08-07) two copies
Request for Reconsideration under 37 CFR § 1.323

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,260,620

APPLICATION NO.: 10/802,985

ISSUE DATE : August 21, 2007

INVENTOR(S) : David E. Halasz

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In column 1, after the title, please insert the following paragraphs:

"CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. Application Serial No. 09/477,842, filed on January 5, 2000, now U.S. Patent No. 6,732,163."

MAILING ADDRESS OF SENDER (Please do not use customer number below):

TUCKER ELLIS & WEST LLP
925 Euclid Avenue, 1150 Huntington Building
Cleveland, OH 44115-1414

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,260,620
APPLICATION NO.: 10/802,985
ISSUE DATE : August 21, 2007
INVENTOR(S) : David E. Halasz

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This application is a continuation of U.S. Application Serial No. 09/477,842, filed on January 5, 2000, now U.S. Patent No. 6,732,163."

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/802,985 Confirmation No. 3916
Patent No. : 7,260,620
Applicant : David A. HALASZ
Filed : March 17, 2004
TC/A.U. : 2681
Examiner : Jinsong Hu
Docket No. : 72255-00021
Customer No. : 23380

Attention: Decisions and Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION UNDER 37 CFR § 1.323

Sir:

On September 5, 2007, Applicant submitted a Request for Certificate of Correction. On November 24, 2007, a response was received, denying the request. Reconsideration is requested for the reasons set forth below.

1. U.S. Application Number 09/477,842, now U.S. Patent Number 6,732,163, was filed on January 5, 2000, and issued on May 4, 2004.
2. U.S. Application Number 10/802,985, now U.S. Patent Number 7,260,620, issued on August 21, 2007, and was filed on March 17, 2004 while U.S. Application Number 09/477,842 was co-pending.
3. The inventorship of U.S. Application Number 09/477,842 and U.S. Application Number 10/802,985 is identical.

4. The specification of U.S. Application Number 09/477,842 supports the claims of U.S. Patent Number 7,260,620.

5. The Utility Patent Application Transmittal accompanying the specification of U.S. Application Number 10/802,985 contained a reference to U.S. Application Number 09/477,842. The reference identified U.S. Application Number 09/477,842 by application number (consisting of the series code and serial number) and indicated the relationship of the applications. A copy of the Utility Patent Application Transmittal is attached hereto as Exhibit 1.

6. A Filing Receipt was mailed for U.S. Application Number 10/802,985 on June 1, 2004. Under the heading of "Domestic Priority data as claimed by applicant" was printed "This application is a CON of 09/477,842 01/05/200 PAT 6,732,163." A copy of the Filing Receipt is attached hereto as Exhibit 2.

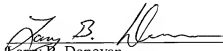
Conclusion

From the foregoing, Applicant was under the belief that the domestic priority claim submitted with the specification of the application was accepted by the United States Patent and Trademark Office, as evidenced by the Filing Receipt. Therefore, for the reasons just set forth, Applicant requests a Certificate of Correction be issued for the above identified patent. If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255-00021.

Respectfully submitted,

TUCKER, ELLIS & WEST

Date: 12-28-2007


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EXHIBIT

1

PTO/SB/05 (08-03)

Approved for use through 07/31/2006, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	72255/00021
First Inventor	David E. Halasz
Title	SYSTEM FOR SELECTING THE OPERATING FREQUENCY OF A COMMUNICATION DEVICE IN A WIRELESS NETWORK
Express Mail Label No.	EV 310449724 US

APPLICATION ELEMENTS

See MPEP chapter 800 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
Applicant claims small entity status.
See 37 CFR 1.27.
2. ☐ Specification [Total Pages 24]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
a. ☐ Oath or Declaration [Total Sheets 29]
i. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
4. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ Paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Certificate of Express Mailing.....
Credit Card Payment Form.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/477,842.....

Prior application information:

Examiner Jinsong Hu

Art Unit 2154

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 23380 OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type) Susan L. Mizer

Registration No. (Attorney/Agent) 38,245

Signature

Date

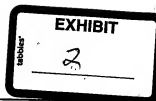
3/17/2004

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UNITED STATES PATENT AND TRADEMARK OFFICE



Page 1 of 2

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APPL. NO.	FILING OR 371 (c) DATE	ART. UNIT	FIL. FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT. CLMS	IND. CLMS
10/802,985	03/17/2004	2681	770	72255/00021	5	18	2

23380
TUCKER, ELLIS & WEST LLP
1150 HUNTINGTON BUILDING
925 EUCLID AVENUE
CLEVELAND, OH 44115-1475

DOCKET

JUN 04 2004

TUCKER ELLIS & WEST LLP

CONFIRMATION NO. 3916

FILING RECEIPT



0C000000012830397

Date Mailed: 06/01/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David E. Halasz, Stow, OH;

Domestic Priority data as claimed by applicant

This application is a CON of 09/477,842 01/05/2000 PAT 6,732,163

Foreign Applications

If Required, Foreign Filing License Granted: 05/31/2004

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

System for selecting the operating frequency of a communication device in a wireless network

Preliminary Class

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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